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RL:0404

HR 43/HCR 13
REQUESTING THE CONSIDERATION OF CONSTITUTIONAL PROVISIONS
RELATING TO PROPERTY RIGHTS IN REVIEWING SOLAR ACCESS
LEGISLATION FOR ENACTMENT INTO LAW

Statement for
House Committees
Energy, Ecology and Environmental Protection
Judiciary
Public Hearing - 20 February 1981

By
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HR 43/HCR 13 recognize the need to review the constitutional provisions relating to property rights with respect to the solar access issue. The statement on this resolution does not represent an institutional position of the University of Hawaii.

The need for maximum development of alternate energy systems in the State is widely recognized. The specific need for the encouragement and promotion of solar energy systems, the most ubiquitous form of alternate energy in the State of Hawaii, is appropriately cited in HR 43 and HCR 13. We would assume that the constitutionality of the various solar access legislative proposals will be reviewed by the appropriate House Committees in accordance with their usual legal review procedures. We would suggest that related solar rights legislation from other states be evaluated for possible application to Hawaii's needs.